ATTACHMENT 38

EXHIBIT 41

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1
                    UNITED STATES DISTRICT COURT
 2
                  NORTHERN DISTRICT OF CALIFORNIA
 3
                         SAN JOSE DIVISION
 4
 5
       CISCO SYSTEMS, INC.,
                                    )
                                    )
 6
                     Plaintiff,
                                    ) Case No.
 7
                                    ) 5:14-cv-05344-BLF (PSG)
                vs.
 8
       ARISTA NETWORKS, INC.
 9
                     Defendant.
10
11
12
     *** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY ***
13
14
15
             VIDEOTAPED DEPOSITION OF BALAJI VENKATRAMAN
16
                       Palo Alto, California
17
                       Tuesday, May 2, 2016
                               Volume I
18
19
20
21
       Reported by:
22
       CARLA SOARES
23
       CSR No. 5908
24
       Job No. 2302931
25
       Pages 1 - 116
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1	UNITED STATES DISTRICT COURT	1	APPEARANCES (Continued):
2	NORTHERN DISTRICT OF CALIFORNIA	2	
3 4	SAN JOSE DIVISION	3	For the Witness and HP Enterprise:
5	CISCO SYSTEMS, INC.,)	4	COVINGTON & BURLING LLP
)	5	BY: THOMAS E. GARTEN, Attorney at Lav
6	Plaintiff,)	6	333 Twin Dolphin Drive, Suite 700
) Case No.	7	Redwood Shores, California 94065
7	vs.) 5:14-cv-05344-BLF (PSG)	8	650.632.4708
8	ARISTA NETWORKS, INC.)	9	tgarten@cov.com
)	10	
9	Defendant.)	11	
)	12	ALSO PRESENT: Angela B. Johnson,
10)	13	Hewlett Packard Enterprise
11 12		14	IP Litigation Counsel
13		15	ii ziugunon coumer
14		16	Sean Grant, Video Operator
15		17	Scan Grain, video operator
16	VIDEOTAPED DEPOSITION OF BALAJI	18	000
17	VENKATRAMAN, Volume I, taken on behalf of Defendant,	19	000
18	at 601 California Avenue, Palo Alto, California, beginning at 10:03 a.m., and ending at 1:58 p.m., on	20	
20	Monday, May 2, 2016, before CARLA SOARES, Certified	$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$	
21	Shorthand Reporter No. 5908.	$\begin{vmatrix} 21\\22\end{vmatrix}$	
22	•	23	
23		24	
24		25	
25	Page 2	23	Page 4
1	ADDE AD ANCEC.	1	INDEV
1	APPEARANCES:	1	INDEX WITNESS
2		2	WITNESS
2 3	For the Plaintiff:		WITNESS BALAJI VENKATRAMAN EXAMINATION
2 3 4	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP	3	WITNESS
2 3 4 5	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law	2 3	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I
2 3 4 5 6	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor	2 3 4 5	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11
2 3 4 5 6 7	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111	2 3 4 5 6	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I
2 3 4 5 6 7 8	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322	2 3 4 5 6 7	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106
2 3 4 5 6 7 8 9	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111	2 3 4 5 6	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS
2 3 4 5 6 7 8 9	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322	2 3 4 5 6 7 8	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE
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2 3 4 5 6 7 8 9 10 11 12	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com	2 3 4 5 6 7 8 9 10	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com For the Defendant: KEKER & VAN NEST LLP BY: EDUARDO SANTACANA, Attorney at Law RYAN WONG, Attorney at Law	2 3 4 5 6 7 8 9 10 11 12 13	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE Exhibit 625 Subpoena to Testify at a 14 Deposition in a Civil Action Exhibit 626 Declaration of Angela Johnson 15
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com For the Defendant: KEKER & VAN NEST LLP BY: EDUARDO SANTACANA, Attorney at Law RYAN WONG, Attorney at Law 633 Battery Street	2 3 4 5 6 7 8 9 10 11 12 13	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE Exhibit 625 Subpoena to Testify at a 14 Deposition in a Civil Action Exhibit 626 Declaration of Angela Johnson 15 On Behalf of Hewlett Packard
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com For the Defendant: KEKER & VAN NEST LLP BY: EDUARDO SANTACANA, Attorney at Law RYAN WONG, Attorney at Law 633 Battery Street San Francisco, California 94111 415.391.5400	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE Exhibit 625 Subpoena to Testify at a 14 Deposition in a Civil Action Exhibit 626 Declaration of Angela Johnson 15 On Behalf of Hewlett Packard Enterprise Exhibit 627 Document entitled "CiscoWorks 30 Network Compliance Manger 1.7,"
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com For the Defendant: KEKER & VAN NEST LLP BY: EDUARDO SANTACANA, Attorney at Law RYAN WONG, Attorney at Law 633 Battery Street San Francisco, California 94111 415.391.5400 esantacana@kvn.com	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE Exhibit 625 Subpoena to Testify at a 14 Deposition in a Civil Action Exhibit 626 Declaration of Angela Johnson 15 On Behalf of Hewlett Packard Enterprise Exhibit 627 Document entitled "CiscoWorks 30 Network Compliance Manger 1.7,"
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com For the Defendant: KEKER & VAN NEST LLP BY: EDUARDO SANTACANA, Attorney at Law RYAN WONG, Attorney at Law 633 Battery Street San Francisco, California 94111 415.391.5400 esantacana@kvn.com	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE Exhibit 625 Subpoena to Testify at a 14 Deposition in a Civil Action Exhibit 626 Declaration of Angela Johnson 15 On Behalf of Hewlett Packard Enterprise Exhibit 627 Document entitled "CiscoWorks 30 Network Compliance Manger 1.7," Bates ARISTANDCA00224722 - 4725 Exhibit 628 Document entitled "End-of-Sale and 31
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN, LLP BY: ANDREW M. HOLMES, Attorney at Law 50 California Street, 22nd Floor San Francisco, California 94111 415.875.6322 drewholmes@quinnemanuel.com For the Defendant: KEKER & VAN NEST LLP BY: EDUARDO SANTACANA, Attorney at Law RYAN WONG, Attorney at Law 633 Battery Street San Francisco, California 94111 415.391.5400 esantacana@kvn.com	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	WITNESS BALAJI VENKATRAMAN EXAMINATION Volume I BY MR. SANTACANA 11 BY MR. HOLMES 106 EXHIBITS NUMBER DESCRIPTION PAGE Exhibit 625 Subpoena to Testify at a 14 Deposition in a Civil Action Exhibit 626 Declaration of Angela Johnson 15 On Behalf of Hewlett Packard Enterprise Exhibit 627 Document entitled "CiscoWorks 30 Network Compliance Manger 1.7," Bates ARISTANDCA00224722 - 4725 Exhibit 628 Document entitled "End-of-Sale and 31 End-of-Life Announcement for the
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16	Exhibit 632 Document entitled "User Guide for 56	16	Exhibit 641 Document entitled "ProCurve	98
17	Network Compliance Manager 1.4,"	17	Networking by HP Data Sheets,"	.
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5	CiscoWorks Network Compliance	5	Bates ARISTANDCA00225269 - 5274	Į.
6	Manager, January 2012,"	6	2 mag 11 m (2 et 100 220 20)	
7	Bates ARISTANDCA00224726 - 4793	7	Exhibit 644 Document entitled "HP GbE2c	103
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12	Manager, August 2011,"	12	000	
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18	CSI-CLI-03829811 - 9818			
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1	Palo Alto, California	1	A Hewlett-Packard Enterprise.
2	Monday, May 2, 2016	2	Q And what is your title?
3	10:03 a.m.	3	A Director, project management.
4		4	Q You understand that you are testifying on
5	PROCEEDINGS	5	behalf of your employer in response to a subpoena
6	THE VIDEO OPERATOR: Good morning. We're	6	today?
7	on the record. The time is 10:03 a.m., and the date	7	A Yes.
8	is May 2nd, 2016. This begins the videotaped	8	Q And you understand that that subpoena was
9	deposition of Hewlett-Packard pursuant to Rule	9	issued by the defendant in this case, Arista, and
10	30(b)(6).	10	not by the plaintiff, Cisco?
11	My name is Sean Grant, here with our court	11	A Yes.
12	reporter, Carla Soares. We're here from Veritext	12	Q You understand that your testimony today
13	Legal Solutions at the request of counsel for	13	is testimony that you will provide on behalf of your
14	defendant.	14	employer, HP?
15	This deposition is being held at Wilson	15	A Yes.
16	Sonsini in Palo Alto, California. The caption of	16	Q Have you been deposed before?
17	this case is Cisco Systems, Inc., versus Arista	17	A No.
18	Networks, Inc., Case No. 5:14-CV-05344-BLF.	18	Q Are you represented by counsel today?
19	Please note that audio- and	19	A Yes.
20	video-recording will take place unless all parties	20	Q And who is that?
21	have agreed to go off the record. Microphones are	21	A Tom.
22	sensitive and may pick up whispers, private	22	Q I just want to go over a couple of ground
23	conversations, or cellular interference.	23	rules since you haven't been deposed before, and
24	At this time, will counsel please identify	24	then we'll get started.
25	themselves and state whom they represent.	25	You understand, sir, that you're
	Page 10		Page 12
1	MR. SANTACANA: Eduardo Santacana of Keker	1	testifying under oath, under penalty of perjury
2	& Van Nest. I represent the defendant, Arista	2	today?
3	Networks.	3	A Yes.
4	MR. WONG: Ryan Wong from Keker & Van Nest	4	Q And you understand that that testimony is
5	for Arista Networks.	5	just as if you were testifying in court?
6	MR. HOLMES: Drew Holmes with Quinn	6	A Yes.
7	Emanuel of behalf of Cisco.	7	Q You understand the reporter will be
8	MR. GARTEN: Tom Garten of Covington &	8	writing down everything that you say?
9	Burling for the witness and HP Enterprise.	9	A Yes.
10	MS. JOHNSON: Angela Johnson for HP	10	Q As a result, it's important that you
1.1	e	1	
11	Enterprise.	11	answer all of my questions verbally instead of with
11 12	Enterprise. THE VIDEO OPERATOR: Thank you.	12	answer all of my questions verbally instead of with gestures such as nodding your head so that the
	Enterprise.	12 13	answer all of my questions verbally instead of with gestures such as nodding your head so that the reporter can record your answers.
12	Enterprise. THE VIDEO OPERATOR: Thank you.	12 13 14	answer all of my questions verbally instead of with gestures such as nodding your head so that the reporter can record your answers. A Okay.
12 13	Enterprise. THE VIDEO OPERATOR: Thank you. Will the certified court reporter please	12 13	answer all of my questions verbally instead of with gestures such as nodding your head so that the reporter can record your answers. A Okay. Q It's important that you and I not speak
12 13 14	Enterprise. THE VIDEO OPERATOR: Thank you. Will the certified court reporter please swear in the witness. BALAJI VENKATRAMAN having been administered an oath, was examined and	12 13 14 15 16	answer all of my questions verbally instead of with gestures such as nodding your head so that the reporter can record your answers. A Okay. Q It's important that you and I not speak over one another today so that the reporter can
12 13 14 15	Enterprise. THE VIDEO OPERATOR: Thank you. Will the certified court reporter please swear in the witness. BALAJI VENKATRAMAN	12 13 14 15 16 17	answer all of my questions verbally instead of with gestures such as nodding your head so that the reporter can record your answers. A Okay. Q It's important that you and I not speak over one another today so that the reporter can write down everything that each of us says.
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Case 5:14-cv-05344-BLF Document 511-3 Filed 09/06/16 Page 7 of 11 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 Q Regardless of which vendor manufactures 2 the device? 3 A Correct. 4 Q So every HP customer of Network Automation 5 gets all the device drivers regardless of how many 6 devices they need to support or the — what they ve 7 paid for the product? 8 A The device comes pre-packaged with a certain number of devices — device drivers that 10 certain number of devices — device drivers that 11 Q O Ray. 12 (Eshibit 639 was marked for identification and is attached hereto.) 13 and is attached hereto.) 14 BY MR. SANTACANA: 15 Q Exhibit 639 has a Bates number of 16 A RISTANDCA00224908. It is titled "HP 5000 Switch 18 feet and 18 here and 18				
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7 Q Do you have an understanding of what the industry standard CLI with a hierarchical structure pis? 10 every customer gets when they purchase the product. 11 Q Okay. 12 (Exhibit 639 was marked for identification and is attached hereto.) 13 and is attached hereto.) 14 BY MR. SANTACANA: 15 Q Exhibit 639 has a Bates number of Psopos Switch and different device types for the devices to present a common, consistent-looking CLI across different vendors and different device types for the devices to present a common interface is because users can leverage the learning on one device to another device. 16 ARISTANDCA00224908. It's titled "HP 5900 Switch Series Data Sheet." 18 My question for you, sir, is, is this a pool ocument that HP kept in the ordinary course of business? 20 Dusiness? 21 A It has an HP logo. It's an HP switch. 22 Yes. 23 Q Do you know when the document was created by HPP? 25 A Let's see if there's a date. I have not Page 94 1 seen this document before, but if there's a date, I can be in the last page, it says "Created February 2012," and "Updated February 2013." 4 Q Do you know what this document is? 5 A This is the device specification of HP 5 5900 switch series. 7 Q Do you know what this document? 8 A This document would have been created by the R&D team that is responsible for this particular switch. 8 A This document would have been created by the R&D team that is responsible for this particular switch. 9 A By default, the team that develops the switch is also responsible for producing product Q Q May. And how do you know that? 14 A Do you know of any other vendors that inthe ordinary course of HP's business? 15 A This document created by the R&D team that is responsible for this particular switch. 16 In the ordinary course of HP's business? 17 A Most vendors would attempt to implement that is calculation. 18 Q Okay. And how do you know that? 19 A By default, the team that develops the inthe ordinary course of HP's business? 20 Q Was this document created by the R&D team that is the ordinary co	5	gets all the device drivers regardless of how many	5	productivity in multi-vendor installations."
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	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	can in the last page, it says "Created February 2012," and "Updated February 2013." Q Do you know what this document is? A This is the device specification for HP 5900 switch series. Q Do you have any reason to doubt that it is an authentic version of the specification HP created? A No. Looking at the logo and the product family name, this is an HP product. I believe this is HP documentation. Q Do you know do you know who at HP would have created this product this document? A This document would have been created by the R&D team that is responsible for this particular switch. Q Okay. And how do you know that? A By default, the team that develops the switch is also responsible for producing product documentation. Q Was this document created by the R&D team in the ordinary course of HP's business? A I believe so. Q If you flip to page 5, the third bullet	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	implements the CLI to be consistent with the standard, but every vendor also has proprietary modifications and extensions. But in general, the bulk of it will be similar to whatever the standard is. Q Do you know what it means when it says "a hierarchical structure"? A Hierarchical is where you have a set of base commands, show commands. Hierarchical could be either in terms of the capability or it could be in terms of the privileges that one requires to exercise the CLI. Q Do you know of any other vendors that implement what you've called the industry standard CLI? A Most vendors would attempt to implement their CLI that is similar to the standard. MR. SANTACANA: You can set that aside. (Exhibit 640 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 640 has the Bates number ARISTANDCA00224917, last page ends in 4949. The document is entitled "HP 6200 yl Switch Series"

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1	(Retired)," and at the top it says, "QuickSpecs."	1	Q At the top of the page it says, "ProCurve
2	Sir, is this a document that was kept and	2	secure router 7000dl Series." This is a data sheet
3	created by HP in the ordinary course of its	3	for that switch.
4	business?	4	Under "Ease of use," as a feature and
5	A I believe so.	5	benefit, it says, "Industry-standard CLI utilizes
6	Q Do you have any reason to doubt its	6	familiar CLI to minimize training and certification
7	authenticity?	7	costs."
8	A No.	8	Is the reason that industry standard CLI
9	Q Do you know when the document would have	9	is a feature for this switch the same as what you
10	been created?	10	said earlier?
11	A It says here at the bottom this is version	11	A Yes.
12	21, with a date stamp of July 24th, 2015.	12	MR. SANTACANA: You can set that aside.
13	Q Do you know who at HP would have been	13	Thanks.
14	responsible for creating this document?	14	(Exhibit 642 was marked for identification
15	A The R&D team that was responsible for	15	and is attached hereto.)
16	HP 6200 yl switch series.	16	BY MR. SANTACANA:
17	Q And how do you know that?	17	Q Exhibit 642 is Bates number
18	A By default, the R&D team that develops the	18	ARISTANDCA00224950, last page ends in 4968. The
19	product also creates documentation.	19	title is "HP A7500 Switch Series Data Sheet."
20	MR. SANTACANA: Okay. You can set that	20	Is this a document that HP kept and
21	aside. Thanks.	21	created in the ordinary course of its business?
22	(Exhibit 641 was marked for identification	22	A I believe so.
23	and is attached hereto.)	23	Q Do you know when the document was created?
24	BY MR. SANTACANA:	24	A In the last page of this exhibit, there's
25	Q Exhibit 641 has a Bates number of	25	a date stamp of August 2012, version 3.
	Page 98		Page 100
1	ARISTANDCA00225130, last page ends in 5268. It's	1	Q Do you have any reason to doubt the
2	titled "ProCurve Networking by HP Data Sheets."	2	authenticity of this document?
3	Do you know what this document is, sir?	3	A No.
4	A These are data sheets for the HP ProCurve	4	Q Who at HP was responsible for creating
	family of routers and switches.	5	this document?
5		6	A The R&D team that was responsible for HP
	Q Is this a document that is kept and was	7	A The R&D team that was responsible for HF A7500 switch series.
7	created by HP in the ordinary course of its		
8	business?	8	Q And how do you know that?
9	A I believe so.	9	A By default, the R&D team that produces
10	Q Do you have any reason to doubt its	10	the product also is responsible for the
11	authenticity?	11	documentation.
12	A No.	12	Q And if you could flip to page 3.
13	Q Do you know when the document was created?	13	A Okay.
14	A So on the last page of this exhibit,	14	Q The second bullet point in the first
15	there's a date stamp of 2005.	15	column is one of the features and benefits for this
16	Q And who at HP was responsible for creating	16	switch. It says, "Industry-standard CLI with a
17	this document?	17	hierarchical structure reduces training time and
18	A The R&D team that would have been	18	expenses, and increases productivity in multi-vendor
19	responsible for the family of ProCurve network	19	installations."
20	elements.	20	Is the reason that the industry standard
21	Q And how do you know that?	21	CLI of this product is a feature the same as the
22	A By default, the R&D team that produces a	22	reasons you explained earlier?
23	product also produces the documentation.	23	A Yes.
24	Q Could you flip to page 7?	24	MR. SANTACANA: Thank you. You can se
25	A Page 7? Yep.	25	that aside.
	Page 99		Page 101

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1	Almost there.	1	course of its business?
2	(Exhibit 643 was marked for identification	2	A Yes.
3	and is attached hereto.)	3	Q Do you know when well, strike that.
4	BY MR. SANTACANA:	4	Do you know who at HP is responsible for
5	Q Exhibit 643 has a Bates number of	5	creating this documentation?
6	ARISTANDCA00225269, ending in 5274. It's titled "HP	6	A Yeah. This is a Q-and-A. Unlike a
7	ProCurve Secure Router 7000dl Series Data Sheet."	7	product documentation on a data sheet, this is a
8	Do you know if strike that.	8	Q-and-A. So it could either come from the product
9	Was this document kept and created by HP	9	team or the support team.
10	in the ordinary course of its business?	10	Q Okay. And do you have any reason to doubt
11	A I believe so.	11	that this is an authentic printout of HP's online
12		12	documentation?
13	Q Do you know when this document was created?	13	A Based on what I see here, no.
14		14	Q What is the HP GbE2 Ethernet blade switch,
	A The last page shows a date stamp of		-
15	January 2009.	15	do you know?
16	Q Do you have any reason to doubt the	16	A I'm not an expert, but this is an HP
17	authenticity of this document?	17	gigabit Ethernet layer two/layer three blade that
18	A No.	18	goes in a chassis.
19	Q Do you know who at HP was responsible for	19	Q Under "Answers" well, "Questions" and
20	creating this document?	20	"Answers," the first question is, "I am a current HP
21	A The R&D team that was responsible for	21	gigabit E2p-Class user. Will I have to learn a new
22	ProCurve Secure Router 7000dl Series.	22	configuration interface?"
23	Q How do you know that?	23	The first answer is, "No. The switch uses
24	A Be default, the documentation is created	24	the same intuitive interface as the GbE2.
25	by the R&D team that produces this product.	25	Additionally, all GbE2 switches have a new industry
	Page 102		Page 104
1	Q If you could flip to page 3, under the	1	standard CLI that greatly simplifies configuration
2	product's features and benefits, the last bullet	2	and management."
3	point in the first column reads, "Industry-standard	3	Is the reason that the industry standard
4	CLI utilizes a familiar command line interface (CLI)	4	CLI is a benefit of this product the same as the
5	to reduce training and certification costs."	5	reasons you stated earlier?
6	Are the reasons why this industry standard	6	A Yes.
7	CLI is a feature and benefit of this product the	7	Q Okay. You can set that aside.
8	same as the reasons you stated earlier?	8	Does HP make command reference manuals for
9	A Yes.	9	its switches available to its customers?
10	MR. SANTACANA: Thank you. You can set	10	A Yes.
11			
11	that aside.	11	Q Are those manuals kept and created by HP
12		11 12	Q Are those manuals kept and created by HP in the ordinary course of its business?
	that aside.		* * * * * * * * * * * * * * * * * * * *
12	that aside. (Exhibit 644 was marked for identification	12	in the ordinary course of its business?
12 13	that aside. (Exhibit 644 was marked for identification and is attached hereto.)	12 13	in the ordinary course of its business? A Yes.
12 13 14	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA:	12 13 14	in the ordinary course of its business? A Yes. Q Are they created around the time that the
12 13 14 15	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of	12 13 14 15	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly?
12 13 14 15 16	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP	12 13 14 15 16	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes.
12 13 14 15 16 17	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions &	12 13 14 15 16 17	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for
12 13 14 15 16 17 18	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the	12 13 14 15 16 17 18	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals?
12 13 14 15 16 17 18 19	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the bottom that includes hp.com as the domain.	12 13 14 15 16 17 18 19	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals? A Typically the R&D team that develops the
12 13 14 15 16 17 18 19 20	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the bottom that includes hp.com as the domain. Sir, is this a document that HP kept and created in the ordinary course of its business?	12 13 14 15 16 17 18 19 20	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals? A Typically the R&D team that develops the products also creates documentation. MR. SANTACANA: That's all I have.
12 13 14 15 16 17 18 19 20 21	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the bottom that includes hp.com as the domain. Sir, is this a document that HP kept and created in the ordinary course of its business? A This looks like a printout of an HP	12 13 14 15 16 17 18 19 20 21	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals? A Typically the R&D team that develops the products also creates documentation.
12 13 14 15 16 17 18 19 20 21 22	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the bottom that includes hp.com as the domain. Sir, is this a document that HP kept and created in the ordinary course of its business? A This looks like a printout of an HP documentation, yes.	12 13 14 15 16 17 18 19 20 21 22	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals? A Typically the R&D team that develops the products also creates documentation. MR. SANTACANA: That's all I have. THE VIDEO OPERATOR: Do you want to go off
12 13 14 15 16 17 18 19 20 21 22 23	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the bottom that includes hp.com as the domain. Sir, is this a document that HP kept and created in the ordinary course of its business? A This looks like a printout of an HP documentation, yes. Q And the online version of this document is	12 13 14 15 16 17 18 19 20 21 22 23	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals? A Typically the R&D team that develops the products also creates documentation. MR. SANTACANA: That's all I have. THE VIDEO OPERATOR: Do you want to go off the record?
12 13 14 15 16 17 18 19 20 21 22 23 24	that aside. (Exhibit 644 was marked for identification and is attached hereto.) BY MR. SANTACANA: Q Exhibit 644 has a Bates number of ARISTANDCA00224906 through 4907. It's titled "HP GbE2c Layer 2/3 Ethernet Blade Switch - questions & answers." And the document also has a URL at the bottom that includes hp.com as the domain. Sir, is this a document that HP kept and created in the ordinary course of its business? A This looks like a printout of an HP documentation, yes.	12 13 14 15 16 17 18 19 20 21 22 23 24	in the ordinary course of its business? A Yes. Q Are they created around the time that the products are released publicly? A Generally, yes. Q Do you know who at HP is responsible for creating the command reference manuals? A Typically the R&D team that develops the products also creates documentation. MR. SANTACANA: That's all I have. THE VIDEO OPERATOR: Do you want to go off the record? MR. HOLMES: Yeah, let's go off the

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1	A So these are industry standards that most	1	MR. SANTACANA: Objection. Calls for
2	vendors implement in order to present a consistent	2	opinion testimony.
3	interface.	3	THE WITNESS: Either they are the same or
4	Sometimes standard every document that	4	they are different.
5	HP referred to had "industry standard" in quotes.	5	BY MR. HOLMES:
6	So sometimes a standard is as published by an	6	Q Right. They can be similar but different?
7	industry organization like IETF or ITU in some	7	A The syntax may vary.
8	cases.	8	Q Now, you discussed earlier with counsel a
9	The industry practices have evolved to	9	product called Network Automation product.
10	adopt a common set of commands, and so they are also	10	Do you remember that?
11	generally referred to as standards. But they may	11	A Yes.
12	not be a specific document like an FTP protocol or	12	Q And that's an HP product?
13	an OSPF, which are standards published by in the	13	A Correct.
14	documents. So the definition of "standard" may	14	Q And the analogous product, I believe, that
15	vary.	15	is that HP OEMs for Cisco is the Cisco Network
16	Q Got it.	16	Compliance Manager; is that right?
17	So it's possible then, when the exhibits	17	A Correct.
18	that you just walked through with counsel reference	18	Q Now, the HP Network Automation product,
19	industry standard, they're not referring to a	19	that's not a router, is it?
20	specific set standard by a standards-setting body,	20	A No.
21	but just sort of a general way to describe the type	21	Q And it's not a switch, correct?
22	of CLI that HP uses?	22	A No.
23	A Correct.	23	Q And I believe your testimony is that the
24	Q Now, you would agree with me, sir, that	24	Network Automation product, in fact, supports
25	there are multiple ways to implement a specific CLI	25	various network elements, right?
	Page 110		Page 112
		l	
1	command, right?	1	A Yes.
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	command, right? A Yes, there are multiple ways to implement	1 2	
1 2 3	command, right? A Yes, there are multiple ways to implement CLI.		Q And so it's fair to say that the Network
2	A Yes, there are multiple ways to implement CLI.	2	177
2 3	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in	2 3 4	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct?
2 3 4	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different	2 3 4	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a
2 3 4 5	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct?	2 3 4 5	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the
2 3 4 5 6	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different	2 3 4 5 6	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and
2 3 4 5 6 7 8	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors.	2 3 4 5 6 7	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors.
2 3 4 5 6 7 8 9	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that	2 3 4 5 6 7 8	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network
2 3 4 5 6 7 8 9	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that vendors, in some instances, have their own	2 3 4 5 6 7 8 9	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network Automation product does not specifically compete in
2 3 4 5 6 7 8 9	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that vendors, in some instances, have their own proprietary modifications to the industry standard	2 3 4 5 6 7 8 9 10	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network Automation product does not specifically compete in the marketplace with a switch or a router?
2 3 4 5 6 7 8 9 10 11 12	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that vendors, in some instances, have their own proprietary modifications to the industry standard command line interface, correct?	2 3 4 5 6 7 8 9 10 11 12	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network Automation product does not specifically compete in the marketplace with a switch or a router? A That is correct. We the switch and the
2 3 4 5 6 7 8 9 10 11 12 13	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that vendors, in some instances, have their own proprietary modifications to the industry standard command line interface, correct? A Correct.	2 3 4 5 6 7 8 9 10	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network Automation product does not specifically compete in the marketplace with a switch or a router? A That is correct. We the switch and the router is not competitive to Network Automation.
2 3 4 5 6 7 8 9 10 11 12 13 14	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that vendors, in some instances, have their own proprietary modifications to the industry standard command line interface, correct? A Correct. Q And does HP have its own proprietary	2 3 4 5 6 7 8 9 10 11 12 13	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network Automation product does not specifically compete in the marketplace with a switch or a router? A That is correct. We the switch and the router is not competitive to Network Automation. Q Sir, have you read Cisco's complaint that
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Yes, there are multiple ways to implement CLI. Q And different companies can and do, in fact, create their own CLI commands using different words and syntaxes, correct? A Correct. The syntax may vary across vendors. Q And I believe you testified earlier that vendors, in some instances, have their own proprietary modifications to the industry standard command line interface, correct? A Correct. Q And does HP have its own proprietary commands?	2 3 4 5 6 7 8 9 10 11 12 13 14	Q And so it's fair to say that the Network Automation product is complementary to a router or a switch, correct? A The Network Automation product is a software product that helps manage the configuration changes to the configuration and compliance across multiple vendors. Q Would it be fair to say that the Network Automation product does not specifically compete in the marketplace with a switch or a router? A That is correct. We the switch and the router is not competitive to Network Automation. Q Sir, have you read Cisco's complaint that it filed against Arista?
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Case 5:14-cv-05344-BLF Document 511-3 Filed 09/06/16 Page 11 of 11 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1	Q And do you consider yourself to be an	1	I, the undersigned, a Certified Shorthand
2	expert in patent law?	2	Reporter of the State of California, do hereby
3	A No.	3	certify:
4	Q And have you read any briefings or papers	4	That the foregoing proceedings were taken
5	that are related to this case other than the	5	before me at the time and place herein set forth;
		6	that any witnesses in the foregoing proceedings,
6	subpoena?	7	prior to testifying, were administered an oath; that
7	A No.	8	a record of the proceedings was made by me using
8	MR. HOLMES: All right. I pass the	9	machine shorthand which was thereafter transcribed
9	witness.		
10	MR. SANTACANA: Nothing.	10	under my direction; that the foregoing transcript is
11	MR. GARTEN: I just want to put on the	11	a true record of the testimony given.
12	record that we'll take the time under the protective	12	Further, that if the foregoing pertains to
13	order to review and designate the transcript as	13	the original transcript of a deposition in a Federal
14	<u> </u>	14	Case, before completion of the proceedings, review
1	appropriate. I understand in the 15-day period it's	15	of the transcript [X] was [] was not requested.
15	highly confidential, attorney eyes' only.	16	I further certify I am neither financially
16	MR. SANTACANA: Okay.	17	interested in the action nor a relative or employee
17	THE VIDEO OPERATOR: This concludes	18	of any attorney or any party to this action.
18	today's videotaped deposition of Hewlett-Packard	19	IN WITNESS WHEREOF, I have this date
19	pursuant to Rule 30(b)(6). We're off the record at	20	subscribed my name.
20	1:58 p.m.	21	subscribed my name.
21	(TIME NOTED: 1:58 p.m.)	22	Dated: 05/13/2016
22	00	l	Dated: 03/13/2010
1	000	23	
23		24	Cara Soares
24		25	CAKLA SUAKES
25			CSR No. 5908
	Page 114		Page 116
1			
2			
1			
3			
4			
5			
6			
7			
8	I, BALAJI VENKATRAMAN, do hereby declare		
9	under penalty of perjury that I have read the		
10	foregoing transcript; that I have made any		
11	corrections as appear noted, in ink, initialed by		
12	me, or attached hereto; that my testimony as		
13	contained herein, as corrected, is true and correct.		
14	EXECUTED this day of,		
15	2016, at,		
16	(City) (State)		
17			
18			
19			
20	BALAJI VENKATRAMAN		
	DALAJI VENKATRAWAN		
21			
22			
23			
24			
25			
1	Dog 115		
	Page 115		